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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/750,003
Filing Date: December 30, 2003
Appellant(s): ZENZ, INGO

Thomas M. Coester
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/13/2009 appealing from the Office action

mailed 7/21/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

7,047,497	PATRIZIO et al.	4-2006
6,014,669	SLAUGHTER et al.	1-2000
6,366,915	RUBERT et al.	4-2002
6,564,261	GUDJONSSON et al.	4-2003
6,658,018	TRAN et al.	12-2003
6,983,324	BLOCK et al.	1-2006
2005/0114315	TANNER et al.	4-2005

(9) Grounds of Rejection

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 29-31 are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter. These claims disclose a system or apparatus

but do not describe hardware which executes each of the claimed steps, which is

required for a system claim to be statutory. Accordingly, these claims are rejected as

non-statutory for failing to disclose such hardware.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claim 19 recites the limitation "the component" in line 9. There is insufficient

antecedent basis for this limitation in the claim. It is unclear which component is being

referenced here since there is more than one component introduced previously in the

claim, meaning that "the component" lacks clear antecedent basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by

Patrizio et al. ('Patrizio' hereinafter) (Patent Number 7,047,497) in view of Slaughter et

al. ('Slaughter' hereinafter) (Patent Number 6,014,669).

As per claim 29, Patrizio teaches

A system comprising: (see abstract and background)

a central storage node, the central storage node including a configuration data

structure, the configuration data structure comprising a global configuration module and

a sub-cluster configuration module. (hierarchical map of objects including clusters node

and interrelations, column 3, lines 38-44)

Patrizio does not explicitly indicate "the central storage node to send information

included in the configuration data structure to a node within a sub-cluster in response to

a request from the node".

However, Slaughter discloses "the central storage node to send information

included in the configuration data structure to a node within a sub-cluster in response to

a request from the node" (cluster configuration queries and transfer of information

between nodes of cluster, column 3, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Patrizio and Slaughter because using the steps of "the

central storage node to send information included in the configuration data structure to a

node within a sub-cluster in response to a request from the node" would have given

those skilled in the art the tools to improve the invention by providing configuration data

that is highly available in case of single node crashes. This gives the user the

advantage of being assured of cluster reliability.

As per claim 30, Patrizio teaches

the global configuration module comprising a dispatcher configuration module

and a server configuration module. (column 3, lines 35-40)

As per claim 31, Patrizio teaches

the sub-cluster configuration module comprising a local configuration information

associated with a sub-cluster, the local configuration information comprising a

dispatcher module and a plurality of server modules, the dispatcher module including

configuration information associated with a dispatcher node of the sub-cluster, and each

of the plurality of server modules including configuration information associated with

each server node of the sub-cluster. (column 3, lines 52-62)

Claims 1-2 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Patrizio et

al. ('Patrizio' hereinafter) (Patent Number 7,047,497) and further in view of Slaughter et

al. ('Slaughter' hereinafter) (Patent Number 6,014,669).

As per claim 1, Rubert teaches

A property sheet system comprising: (see abstract and background)

"including a plurality of property names, a plurality of non-modifiable parameters and a plurality of modifiable parameters, wherein each respective property name included in the property sheet data structure is associated with a non-modifiable parameter and optionally a modifiable parameter; and a user interface to display contents of the property sheet data structure", "the user interface to receive inputs to select and modify a parameter associated with the property sheet data structure" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "a configuration module representing configuration information of a node within a clustered system, the configuration module comprising any one of a binary file, the binary file to map a key name to a set of data, a sub-configuration entry comprising an object of the code, or a name-value pair, the name-value pair to map a key name to an object, and a property sheet data structure representing configuration information associated with at least one component within the clustered system", "to allow centralized management of the clustered system".

However, Patrizio discloses "a configuration module representing configuration information of a node within a clustered system, the configuration module comprising any one of a binary file, the binary file to map a key name to a set of data, a sub-configuration entry comprising an object of the code, or a name-value pair, the name-value pair to map a key name to an object, and a property sheet data structure representing configuration information associated with at least one component within

the clustered system", "to allow centralized management of the clustered system"

(selecting node in cluster where the node table is populated, column 4, lines 30-50).

It would have been obvious to one of ordinary skill in the art to combine Rubert

and Patrizio because using the steps of "a configuration module representing

configuration information of a node within a clustered system, the configuration module

comprising any one of a binary file, the binary file to map a key name to a set of data, a

sub-configuration entry comprising an object of the code, or a name-value pair, the

name-value pair to map a key name to an object, and a property sheet data structure

representing configuration information associated with at least one component within

the clustered system", "to allow centralized management of the clustered system" would

have given those skilled in the art the tools to improve the invention by making

information available and configurable centrally. This gives the user the advantage of

having a simple way to configure components.

Neither Rubert nor Patrizio explicitly indicate "and to manage configuration

information of at least one dispatcher node that distributes requests to a plurality of

nodes of the clustered system".

However, Slaughter discloses "and to manage configuration information of at

least one dispatcher node that distributes requests to a plurality of nodes of the

clustered system" (cluster configuration queries and transfer of information between

nodes of cluster, column 3, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine Rubert, Patrizio and Slaughter because using the steps

of "and to manage configuration information of at least one dispatcher node that distributes requests to a plurality of nodes of the clustered system" would have given those skilled in the art the tools to improve the invention by providing configuration data that is highly available in case of single node crashes. This gives the user the advantage of being assured of cluster reliability.

As per claim 2,

Rubert does not explicitly indicate "the property sheet data structure is associated with a plurality of components contained within a clustered system".

However, Patrizio discloses "the property sheet data structure is associated with a plurality of components contained within a clustered system" (column 4, lines 25-30).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Patrizio because using the steps of "the property sheet data structure is associated with a plurality of components contained within a clustered system" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

As per claim 16, Rubert teaches

A method comprising:" (see abstract and background)

displaying contents of the property sheet, the property sheet including non-modifiable parameters and modifiable parameters; and receiving input to select and

modify a parameter of the displayed property sheet (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster".

However, Patrizio discloses "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster" (selecting node in cluster where the node table is populated, column 4, lines 30-50);

It would have been obvious to one of ordinary skill in the art to combine Rubert and Patrizio because using the steps of "providing a configuration module of a node contained within a cluster, the module comprising any one of a binary file, a sub-configuration entry, or a name-value pair, and a property sheet containing configuration information associated with a component contained within a cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Neither Rubert nor Patrizio does not explicitly indicate "and sending the configuration information to the node in response to a request from the node".

However, <u>Slaughter</u> discloses "and sending the configuration information to the

node in response to a request from the node" (cluster configuration queries and transfer

of information between nodes of cluster, column 3, lines 51-65).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine <u>Rubert</u>, <u>Patrizio</u> and <u>Slaughter</u> because using the steps

of "and sending the configuration information to the node in response to a request from

the node" would have given those skilled in the art the tools to improve the invention by

providing configuration data that is highly available in case of single node crashes. This

gives the user the advantage of being assured of cluster reliability.

As per claim 17, <u>Rubert</u> teaches

the displaying contents of a property sheet comprises: providing a number of

entry rows; displaying names of corresponding properties in a first column of each entry

row; displaying configuration parameters associated with corresponding properties in a

second column of each entry row; and indicating if a configuration parameter displayed

in the second column is a default parameter or a custom parameter (column 5, line 55

through column 6, line 6).

As per claim 18,

<u>Rubert</u> does not explicitly indicate "the property sheet is included in a

configuration data structure containing configuration information associated with the

cluster".

However, <u>Patrizio</u> discloses "the property sheet is included in a configuration data structure containing configuration information associated with the cluster" (column 4, lines 25-30).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u> and <u>Patrizio</u> because using the steps of "the property sheet is included in a configuration data structure containing configuration information associated with the cluster" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Claims 6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Rubert et al.</u> ('<u>Rubert</u>' hereinafter) (Patent Number 6,366,915) in view of <u>Gudjonsson et al.</u> ('<u>Gudjonsson</u>' hereinafter) (Patent Number 6,564,261) and further in view of <u>Tran et al.</u> ('<u>Tran</u>' hereinafter) (Patent Number 6,658,018).

As per claim 6, <u>Rubert</u> teaches

A method comprising: (see abstract and background)

"providing a property sheet", "the property sheet including a plurality of configuration parameters, each parameter associated with a name, a default parameter and a custom parameter", "default parameters" (column 5, line 55 through column 6, line 6);

Rubert does not explicitly indicate "associated with a component contained within a clustered system", "replacing the component contained within the clustered system; and automatically updating the ... parameters included in the property sheet with a different default parameter with a corresponding property of a replacement component in response to replacing the component".

However, Gudjonsson discloses "associated with a component contained within a clustered system", "replacing the component contained within the clustered system; and automatically updating the ... parameters included in the property sheet with a different default parameter with a corresponding property of a replacement component in response to replacing the component" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "associated with a component contained within a clustered system", "replacing the component contained within the clustered system; and automatically updating the ... parameters included in the property sheet with a different default parameter with a corresponding property of a replacement component in response to replacing the component" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Neither Rubert nor Gudjonsson explicitly indicate "and determining a conflict between each custom parameter included in the property sheet with the different default parameter of the corresponding property of the replacement component."

However, <u>Tran</u> discloses "and determining a conflict between each custom parameter included in the property sheet with the different default parameter of the corresponding property of the replacement component" (compare replacement attributes to team adapter attributes, column 4, lines 33-38 and column 7, line 65 through column 8, line 4).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>, <u>Gudjonsson</u> and <u>Tran</u> because using the steps of "and determining a conflict between each custom parameter included in the property sheet with the different default parameter of the corresponding property of the replacement component" would have given those skilled in the art the tools to improve the invention by having more control of over replacement parameters to help ensure smooth configuration updates. This gives the user the advantage of assurance of better reliability.

As per claim 8, <u>Rubert</u> teaches

determining if a custom parameter included in the property sheet is valid with the replaced component (column 5, line 55 through column 6, line 6).

As per claim 9, <u>Rubert</u> teaches

deselecting the custom parameter in response to the custom parameter being not valid with the replaced component (column 6, lines 1-6).

As per claim 10,

Rubert does not explicitly indicate "the cluster includes a plurality of instances".

However, Gudjonsson discloses "the cluster includes a plurality of instances" (plurality of clusters, column 7, lines 35-40).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "the cluster includes a plurality of instances" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Gudjonsson et al. ('Gudjonsson' hereinafter) (Patent Number 6,564,261) and further in view of Block et al. ('Block' hereinafter) (Patent Number 6,983,324) and further in view of Tran et al. ('Tran' hereinafter) (Patent Number 6,658,018).

As per claim 19, Rubert teaches

A system comprising: (see abstract and background)

"means for displaying contents of a property sheet", "the property sheet having a plurality of properties, wherein each of said properties is associated with a property name, a non-modifiable default parameter and a custom parameter; and means for

receiving input to select and modify a parameter associated with a property included in the property sheet" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "containing configuration information associated with a component contained within a clustered system".

However, Gudjonsson discloses "containing configuration information associated with a component contained within a clustered system" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "containing configuration information associated with a component contained within a clustered system" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Neither Rubert nor Gudjonsson explicitly indicate "and means for selectively updating the parameters included in the property sheet in response to replacing a component."

However, Block discloses "and means for selectively updating the parameters included in the property sheet in response to replacing a component" (change cluster resource services and parameter modifation, column 7, lines 52-62).

It would have been obvious to one of ordinary skill in the art to combine Rubert, Gudjonsson and Block because using the steps of "and means for selectively updating the parameters included in the property sheet in response to replacing a component" would have given those skilled in the art the tools to improve the invention by allowing

reconfiguration without taking a node offline. This gives the user the advantage of having more uptime of resources.

Neither Rubert, Gudjonsson nor Block explicitly indicate "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component."

However, Tran discloses "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component" (compare replacement attributes to team adapter attributes, column 4, lines 33-38 and column 7, line 65 through column 8, line 4).

It would have been obvious to one of ordinary skill in the art to combine Rubert, Gudjonsson, Block, and Tran because using the steps of "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component" would have given those skilled in the art the tools to improve the invention by having more control of over replacement parameters to help ensure smooth configuration updates. This gives the user the advantage of assurance of better reliability.

As per claim 26, Rubert teaches

A machine-readable medium that provides instructions, which when executed by a processor cause the processor to perform operations comprising: (see abstract and background)

"displaying contents of a property sheet data structure", "the property sheet data structure including a plurality of property names, a plurality of non-modifiable default parameters and a plurality of custom parameters; receiving input to select a custom parameter included in the property sheet data structure; receiving input to modify the selected custom parameter; and storing the modified custom parameter without changing a default parameter corresponding to the modified custom parameter" (column 5, line 55 through column 6, line 6).

Rubert does not explicitly indicate "representing configuration information associated with at least one component within a clustered system".

However, Gudjonsson discloses "representing configuration information associated with at least one component within a clustered system" (column 18, lines 24-28).

It would have been obvious to one of ordinary skill in the art to combine Rubert and Gudjonsson because using the steps of "representing configuration information associated with at least one component within a clustered system" would have given those skilled in the art the tools to improve the invention by making information available and configurable centrally. This gives the user the advantage of having a simple way to configure components.

Neither Rubert nor Gudjonsson explicitly indicate "and selectively updating the parameters included in the property sheet in response to replacing of a component."

However, Block discloses "and selectively updating the parameters included in the property sheet in response to replacing of a component" (change cluster resource services and parameter modification, column 7, lines 52-62).

It would have been obvious to one of ordinary skill in the art to combine Rubert, Gudjonsson and Block because using the steps of "and selectively updating the parameters included in the property sheet in response to replacing of a component" would have given those skilled in the art the tools to improve the invention by allowing reconfiguration without taking a node offline. This gives the user the advantage of having more uptime of resources.

Neither Rubert, Gudjonsson nor Block explicitly indicate "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component."

However, Tran discloses "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component" (compare replacement attributes to team adapter attributes, column 4, lines 33-38 and column 7, line 65 through column 8, line 4).

It would have been obvious to one of ordinary skill in the art to combine Rubert, Gudjonsson, Block, and Tran because using the steps of "by comparing each default parameter of the component to be replaced with a corresponding default parameter of a replacement component" would have given those skilled in the art the tools to improve the invention by having more control of over replacement parameters to help ensure

smooth configuration updates. This gives the user the advantage of assurance of better

reliability.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rubert et al. ('Rubert' hereinafter) (Patent Number 6,366,915) in view of Patrizio et al.

('Patrizio' hereinafter) (Patent Number 7,047,497) and further in view of Slaughter et al.

('Slaughter' hereinafter) (Patent Number 6,014,669) and further in view of Tanner et al.

('Tanner' hereinafter) (Publication Number 2005/0114315).

As per claim 3,

Neither Rubert, Patrizio nor Slaughter explicitly indicate "the user interface

comprises: a first dialog box to display contents of the property sheet data structure, the

first dialog box including a plurality of entry rows, the entry rows including a first column

to display names of corresponding properties, a second column to display configuration

parameters associated with the corresponding properties and a third column to indicate

if the configuration parameters are default or custom parameters; and a second dialog

box to receive input to modify a custom parameter".

However, Tanner discloses "the user interface comprises: a first dialog box to

display contents of the property sheet data structure, the first dialog box including a

plurality of entry rows, the entry rows including a first column to display names of

corresponding properties, a second column to display configuration parameters

associated with the corresponding properties and a third column to indicate if the

configuration parameters are default or custom parameters; and a second dialog box to

receive input to modify a custom parameter" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Patrizio, Slaughter and Tanner because using the steps of "the user interface

comprises: a first dialog box to display contents of the property sheet data structure, the

first dialog box including a plurality of entry rows, the entry rows including a first column

to display names of corresponding properties, a second column to display configuration

parameters associated with the corresponding properties and a third column to indicate

if the configuration parameters are default or custom parameters; and a second dialog

box to receive input to modify a custom parameter" would have given those skilled in

the art the tools to improve the invention by avoiding errors when entering data. This

gives the user the advantage of having a standardized entry application.

As per claim 4,

Neither Rubert, Patrizio nor Slaughter explicitly indicate "the second dialog box

further includes a name field to display a name of a corresponding property and a

default field to display a default configuration parameter associated with the

corresponding property".

However, Tanner discloses "the second dialog box further includes a name field

to display a name of a corresponding property and a default field to display a default

configuration parameter associated with the corresponding property" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Patrizio, Slaughter and Tanner because using the steps of "the second dialog box

further includes a name field to display a name of a corresponding property and a

default field to display a default configuration parameter associated with the

corresponding property" would have given those skilled in the art the tools to improve

the invention by avoiding errors when entering data. This gives the user the advantage

of having a standardized entry application.

As per claim 5,

Neither Rubert, Patrizio nor Slaughter explicitly indicate "the second dialog box

further includes a data type field to display the data type associated with corresponding

property".

However, Tanner discloses "the second dialog box further includes a data type

field to display the data type associated with corresponding property" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Patrizio, Slaughter and Tanner because using the steps of "the second dialog box

further includes a data type field to display the data type associated with corresponding

property" would have given those skilled in the art the tools to improve the invention by

avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

Claims 20-21,23-25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Rubert et al.</u> ('<u>Rubert</u>' hereinafter) (Patent Number 6,366,915) in view of <u>Gudjonsson et al.</u> ('<u>Gudjonsson</u>' hereinafter) (Patent Number 6,564,261) further in view of <u>Block et al.</u> ('<u>Block</u>' hereinafter) (Patent Number 6,983,324) and further in view of <u>Tran et al.</u> ('<u>Tran</u>' hereinafter) (Patent Number 6,658,018) and further in view of <u>Tanner et al.</u> ('<u>Tanner</u>' hereinafter) (Publication Number 2005/0114315).

As per claim 20,

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet".

However, <u>Tanner</u> discloses "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>, <u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "means for receiving input to select between the default parameter and the custom parameter to be applied to a property included in the property sheet" would have given those skilled in the art the

tools to improve the invention by avoiding errors when entering data. This gives the user

the advantage of having a standardized entry application.

As per claim 21, <u>Rubert</u> teaches

"the means for displaying further comprises: means for indicating if a

configuration parameter displayed by the means for displaying is a default parameter or

a custom parameter" (column 5, line 55 through column 6, line 6).

As per claim 22,

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "means for

selectively updating the parameters included in the property sheet in response to

changing of a component".

However, <u>Tanner</u> discloses "means for selectively updating the parameters

included in the property sheet in response to changing of a component" (paragraphs

[0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>,

<u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "means for selectively

updating the parameters included in the property sheet in response to changing of a

component" would have given those skilled in the art the tools to improve the invention

by avoiding errors when entering data. This gives the user the advantage of having a

standardized entry application.

As per claim 23,

Neither <u>Rubert</u> nor <u>Gudjonsson</u> nor <u>Block</u> explicitly indicate "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component".

However, <u>Tanner</u> discloses "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component" (paragraphs [0065]-[0066]).

It would have been obvious to one of ordinary skill in the art to combine <u>Rubert</u>, <u>Gudjonsson</u>, <u>Block</u> and <u>Tanner</u> because using the steps of "means for automatically updating a default parameter included in the property sheet with a different default parameter associated with a corresponding property of the replaced component" would have given those skilled in the art the tools to improve the invention by avoiding errors when entering data. This gives the user the advantage of having a standardized entry application.

As per claim 24, <u>Rubert</u> teaches

means for determining if a custom parameter included in the property sheet is valid with the replaced component (column 5, line 55 through column 6, line 6).

As per claim 25, <u>Rubert</u> teaches

means for deselecting a custom parameter in response to the custom parameter

being not valid with the replaced component (column 6, lines 1-6).

As per claim 28, Rubert teaches

determining a custom parameter included in the property sheet data structure is

valid with the replaced component (column 5, line 55 through column 6, line 6);

and deselecting an applied custom parameter in response to the applied custom

parameter being not valid with the replaced component (column 6, lines 1-6).

Neither Rubert nor Gudjonsson nor Block explicitly indicate "the operations

performed by the processor further comprise: automatically updating a default

parameter included in the property sheet data structure with a different default

parameter associated with a corresponding property of the replaced component".

However, Tanner discloses "the operations performed by the processor further

comprise: automatically updating a default parameter included in the property sheet

data structure with a different default parameter associated with a corresponding

property of the replaced component" (paragraphs [0065]-[0066]);

It would have been obvious to one of ordinary skill in the art to combine Rubert,

Gudjonsson, Block and Tanner because using the steps of "the operations performed

by the processor further comprise: automatically updating a default parameter included

in the property sheet data structure with a different default parameter associated with a

corresponding property of the replaced component" would have given those skilled in

the art the tools to improve the invention by avoiding errors when entering data. This

gives the user the advantage of having a standardized entry application.

(10) Response to Argument

With respect to the argument regarding the outstanding 35 USC 101 rejections of

claims 29-31 as being non-statutory, it is respectfully submitted that the claims do not

disclose hardware for executing these claims. The nodes and modules which are

specified in the claim could be interpreted to be software elements and are not

necessarily directed to hardware elements exclusively. Therefore the rejections of these

claims as non-statutory under 35 USC 101 is valid.

With respect to the argument regarding the outstanding rejection claim 19 under

35 USC 112, second paragraph, for lacking clear antecedent basis for the term "the

component", it is respectfully submitted that it is still unclear to which previously defined

"component" the Appellant is referring. While Appellant argues that the component to be

replaced would be understood to be the second component, it is submitted that the first

component could also be understood to fill this role since it could also be interpreted as

"the component to be replaced". Such unnecessary ambiguity in the claim serves to

make the claim unclear and therefore the 35 USC 112, second paragraph, rejection of

claim 19 is valid.

With respect to the outstanding 35 USC 103 rejection of claim 29, Appellant

argues that Patrizio does not teach "a central storage node" and "a configuration data

structure". It is respectfully submitted that Patrizio teaches a ServiceGuard Manager

and the node which it runs on reads on the central storage node, since there is no

specific description of what exactly entails this central storage node and it can broadly

be interpreted as a node which has access to the configuration data. The ServiceGuard

Manager product executing is described as follows:

> "Referring now to the drawings, and in particular to FIG. 1, there is shown an
> exemplary top level screen shot of the ServiceGuard Manager product. The left
> panel shows a tree of clusters, nodes and packages monitored by the
> MC/ServiceGuard clustering product. The right panel 103 shows a hierarchical
> map of these objects (clusters, nodes and packages) and how they are
> interrelated, with a specific focus on the cluster named arabica 105, as
> highlighted in left panel 101." (Patrizio, column 3, lines 35-43)

The hierarchical map of objects and the configuration of these objects is shown

in figures 2-5 and described in the associated portions of the Detailed Description in

Patrizio. For example:

> "Referring to FIG. 5, there is shown the Nodes tabbed property sheet pane with
> no rows selected. A top node table 501 shows the nodes contained within the
> cluster of focus. The user can select a specific node (click on its row) to populate
> a lower packages table 502, as shown in FIG. 6. Referring now to FIG. 6, the
> lower packages table 502a shows the packages configured on the selected node
> row, i.e., crates in the upper node table 501a. It can be seen that the data
> presented for the node property sheet tab and the package property sheet tab
> contain similar data, but presented with a different focus." (column 3, lines 38-44;
> figure 1).

This citation clearly describes node configuration for clusters and nodes or

subclusters, which reads on the configuration data structure as claimed by the

Appellant. Therefore the limitation is clearly taught by Patrizio.

With respect to the outstanding 35 USC 103 rejection of claim 29, Appellant

argues that Patrizio in view of Slaughter does not teach "the central storage node to

send information included in the configuration data structure to a node within a sub-

cluster in response to a request from the node". Applicant further argues that Slaughter

teaches that the requesting node does not receive configuration data but instead the

requesting node sends configuration data. The following citation reads directly on this

limitation:

> "Client 108 is a software program operating on a node. Elements referred to
> herein with a particular reference number followed by a letter may be collectively
> referred to by the reference number alone. For example, cluster servers 106A-
> 106D may be collectively referred to as cluster server 106. Client 108
> communicates to cluster server 106 to request cluster configuration database
> operations such as queries and updates. Cluster server 106 controls the transfer
> of data between the nodes of cluster 100. Cluster configuration database 110
> stores data such as configuration parameters and runtime data that must be
> maintained consistently across all the nodes to the cluster." (Slaughter, column 3,
> lines 54-63)

From this citation it is shown that a client can request and receive configuration

data from a cluster server, where the client is a node. Since the concept of a central

storage node can be reasonably interpreted as a node which is reachable by all other

nodes in the cluster and a sub-cluster can be simply a group of nodes, the claim is for

data sent from a storage node to another node. Since Slaughter teaches at least these

things, it is respectfully submitted that the limitations are taught by the combination of

the cited references.

       With respect to the outstanding 35 USC 103 rejection of claim 1, Appellant

argues that <u>Rubert</u> in view of <u>Patrizio</u> does not teach "a user interface ... to manage

configuration information of at least one dispatcher node that distributes requests to a

plurality of nodes of the clustered system". It is respectfully submitted that arguments

regarding these limitations have been shown previously as a ServiceGuard Manager in

<u>Patrizio</u> (column 3, lines 35-38) which shows a user interface that manages

configuration information (figures 2-5). With respect to the argument that Rubert in view

of Patrizio does not teach " to manage configuration information of at least one

dispatcher node that distributes requests to a plurality of nodes of the clustered system",

it is respectfully submitted that Slaughter teaches this limitation in the following citation:

"Cluster server 106 controls the transfer of data between the nodes of cluster 100."

(column 3, lines 61-64). Here we see that a cluster configuration management is

accomplished via a cluster server that controls transfer of data between nodes of a

cluster. It is therefore respectfully submitted that the combination of these references

does teach the limitations.

       With respect to the outstanding 35 USC 103 rejection of claims 1, Appellant

argues that <u>Rubert</u> in view of <u>Patrizio</u> does not teach "the configuration module

comprising any one of a binary file, the binary file to map a key name to a set of data, a

sub-configuration entry comprising an object of the node, or a name-value pair, the

name-value pair to map a key name to an object". It is respectfully submitted that

Patrizio teaches that the configuration data contains the required name-value pair as

follows:

> "With reference again to FIG. 2, there are two types of tabs within a given
> property sheet. First, there is just the general list-type structure with key value
> pairs. This is a simple tabbed dialog pane, as illustrated in FIG. 2. The left hand
> side of the given property sheet, designated in FIG. 2 by the reference numeral
> 211 is a component that might be a cluster status or a cluster name or a package
> name." (Patrizio, column 3, line 63 through column 4, line 2)

In this citation we notice key value pairs, which are used in the previously

discussed ServiceGuard Manager (Patrizio, column 3, lines 35-40). Respectfully, these

key value pairs used in the ServiceGuard Manager read on the claimed configuration

module comprising one of a group including a name-value pair. Therefore the

combination of these references does teach this limitation.

With respect to the outstanding 35 USC 103 rejection of claim 16, Appellant

argues that Rubert in view of Patrizio does not teach "the configuration module

comprising any one of a binary file, a sub-configuration entry, or a name-value pair". It is

respectfully submitted that Patrizio teaches that the configuration data contains the

required name-value pair as follows:

> "With reference again to FIG. 2, there are two types of tabs within a given
> property sheet. First, there is just the general list-type structure with key value
> pairs. This is a simple tabbed dialog pane, as illustrated in FIG. 2. The left hand
> side of the given property sheet, designated in FIG. 2 by the reference numeral
> 211 is a component that might be a cluster status or a cluster name or a package
> name." (Patrizio, column 3, line 63 through column 4, line 2)

In this citation we notice key value pairs, which are used in the previously

discussed ServiceGuard Manager (Patrizio, column 3, lines 35-40). Respectfully, these

key value pairs used in the ServiceGuard Manager read on the claimed configuration

module comprising one of a group including a name-value pair. Therefore the

combination of these references does teach this limitation.

With respect to the outstanding 35 USC 103 rejection of claim 18, Appellant

argues that Rubert in view of Patrizio and further in view of Slaughter does not teach

"the property sheet is included in a configuration data structure containing configuration

information associated with the cluster". Applicant further argues that Patrizio teaches a

GUI includes layout information based on a schema. However the following citation

does read on the claim in question:

> "Referring to FIG. 5, there is shown the Nodes tabbed property sheet pane with
> no rows selected. A top node table 501 shows the nodes contained within the
> cluster of focus. The user can select a specific node (click on its row) to populate
> a lower packages table 502, as shown in FIG. 6. Referring now to FIG. 6, the
> lower packages table 502a shows the packages configured on the selected node
> row, i.e., crates in the upper node table 501a. It can be seen that the data
> presented for the node property sheet tab and the package property sheet tab
> contain similar data, but presented with a different focus." (Patrizio, column 4,
> lines 40-50)

Here we see that the packages of a certain node in a cluster can be displayed,

which reads on the claim. The claimed configuration data is very broadly defined and

any configuration associated with the cluster could be used to read on the limitation.

Therefore is it is respectfully submitted that Patrizio teaches the limitation.

With respect to the outstanding 35 USC 103 rejection of claim 6, Appellant

argues that <u>Rubert</u> in view of <u>Gudjonsson</u> and further in view of <u>Tran</u> does not teach

"automatically updating the default parameters included in the property sheet with a

different default parameter with a corresponding property of a replacement component"

or "automatically updating the default parameters … with a different default parameter

… of a replacement component in response to replacing the component". It is

respectfully submitted that <u>Gudjonsson</u> discloses the limitation in the following citation:

> "Administrative tools allow system administrators to change certain settings of
> the system, add new users, etc. They are responsible for notifying all
> components in a cluster of changes to settings that affect them." (<u>Gudjonsson</u>,
> column 18, lines 24-28

Here <u>Gudjonsson</u> teaches notifying the components in a cluster of changes to

settings, which reads on the situation claimed where default parameters are updated to

different default parameters when there are changes within a cluster. This covers the

condition as claimed in this limitation, as the parameters would be updated as disclosed

by <u>Gudjonsson</u>. It is therefore respectfully submitted that the combination of references

teaches this limitation.

With respect to the outstanding 35 USC 103 rejection of claim 6, Appellant

argues that <u>Rubert</u> in view of <u>Gudjonsson</u> and further in view of <u>Tran</u> does not teach

"automatically updating the default parameters … with a different default parameter …

of a replacement component in response to replacing the component".

"FIG. 6 illustrates the last part of this embodiment, the adapter restoration routine 600, which is invoked after a replacement adapter is substituted for any failed adapter or a failed adapter is restored to on-line service by, for example, replacing the network cable to the adapter. The replacement adapter may be any adapter, including the failed primary that has been repaired, reconditioned, or merely reconnected. The adapter restoration routine 600 evaluates the replacement adapter and automatically restores it as the new primary adapter if its attributes are greater than any of the remaining adapters in the team, including the alternate primary adapter selected by routine 500. Upon replacing the adapter, the restoration routine 600, in block B620, queries the adapter capability determination routine 400 for the replacement adapter. The adapter capability determination routine 400 then returns an adapter capability value, corresponding to the replacement adapter." (Tran, column 6, lines 35-53)

From the above citation Tran teaches that the adapter capability determination routine determines the capabilities of the replacement adapter, and this update is done as part of an online redundancy service which automatically restores the replacement adapter as the primary adapter. The default parameter can be read as the capability value of the replacement adapter in the Tran citation above. Therefore, the limitation is taught by the combination of the cited references.

With respect to the outstanding 35 USC 103 rejection of claim 6, Appellant argues that Rubert in view of Gudjonsson and further in view of Tran does not teach "determining a conflict between each custom parameter included in the property sheet with the different default parameter of the corresponding property of the replacement component". It is respectfully submitted that the following citations from Tran teaches the limitation:

"In block B340, routine 300 compares the current adapter capability value to the team (i.e., maximum) capability value. If the current adapter capability value is greater than the team capability value, then in block B350, the team adapter ID,

which corresponds to the primary adapter ID, is set to the current adapter ID. In block B360, the team capability value is set to the current adapter capability value, which essentially designates the most qualified adapter as the primary adapter. If the current adapter capability value is not greater than the team capability value, routine 300 progresses to block B370." (Tran, column 4, lines 33-38)

Here it is clear that the parameters for the different adapters are compared and the values or parameters of the adapters are updated accordingly, which teaches the limitation.

With respect to the outstanding 35 USC 103 rejection of claims 1 and 16, Appellant argues that Rubert, Gudjonsson and Tran are not analogous prior art. In response to Appellant's argument, it has been held that a prior art reference must either be in the field of Appellant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the Appellant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, In this case, Rubert is directed querying a number of databases (abstract), Gudjonsson is directed to servers and clustering (abstract) and Tran is directed to managing the properties of adapters in a network (abstract; column 4, lines 33-38 and column 7, line 65 through column 8, line 4). The Appellant's invention is directed to "[a] property sheet system and method for managing and organizing configuration information for components contained within a clustered environment", and it is therefore respectfully submitted that the cited art is both in the field of Appellant's endeavor and pertinent to the problem with which the endeavor is

concerned, since properties in a panel and clustered systems are to what the invention

pertains.

With respect to the outstanding 35 USC 103 rejection of claim 19, Appellant

argues that Rubert in view of Gudjonsson and further in view of Block and further in

view of Tran does not teach "selectively updating the parameters included in the

property sheet in response to replacing a component by comparing each default

parameter of the component to be replaced with a corresponding default parameter of a

replacement component". It is respectfully submitted that the answer to arguments

regarding claim 6 also applies here for substantially the same reasons and therefore the

limitation as claimed is taught by the combination of references.

With respect to the outstanding 35 USC 103 rejection of claim 3, Appellant

argues that Rubert in view of Patrizio and further in view of Tanner does not teach

columns in the manner recited. It is respectfully submitted that Patrizio discloses

columns in the following citation:

> "A top subnets table 701 presents subnets on the cluster. There are three items
> of information presented for each row: subnet 703, heartbeat 705, and net mask
> 707. It is possible for the user to view this data in a different column order, if
> desired. For example, referring now to FIG. 8, the user switches the order of the
> second and third columns, i.e., heartbeat 705 and net mask 707, merely by
> dragging the column header to a different location. In this case, column net
> mask 707a is dragged from the third column in that row to the second. FIG. 8
> shows the column net mask 707a in the process of being dragged. Column
> heartbeat 705a automatically moves to take the third column position, even
> before the user has dropped the Column net mask 707a to its final location."
> (Patrizio, column 4, lines 54-67)

Respectfully, these discloses by <u>Patrizio</u> reads on the dialog boxes and entry

rows for configuration of properties as claimed, and therefore the limitations are

disclosed by the references.

With respect to the outstanding 35 USC 103 rejection of claim 4, Appellant

argues that neither <u>Rubert</u>, <u>Patrizio</u> nor <u>Tanner</u> teach "the user interface comprises: a

first dialog box to display contents of the property sheet data structure, the first dialog

box including a plurality of entry rows, the entry rows including a first column to display

names of corresponding properties, a second column to display configuration

parameters associated with the corresponding properties and a third column to indicate

if the configuration parameters are default or custom parameters; and a second dialog

box to receive input to modify a custom parameter". In order to show this limitation,

please examine figures 5B and 5C in view of the following citation:

> "[0066] According to one embodiment of the invention, the multi-row edit function
> also allows a new attribute field to be added to multiple rows of configuration data
> in response to a single user operation. For example, referring again to FIG. 5A,
> suppose that a user desires to add an attribute field ATTRY to all rows of
> configuration data 120. Conventional configuration editing tools would require
> that the new attribute field ATTRY be separately added to each row of
> configuration data. In the present example, the user instead selects the EDIT
> 228 user interface object to initiate the multi-row edit function. The multi-row edit
> function allows the user to add the new attribute field ATTRY to all three rows of
> configuration data 120 simultaneously. For example, the user may use a mouse
> or other selection mechanism to select a user interface object, for example from
> control panel 220, elsewhere on GUI 112 or from a pull-down menu, associated
> with adding a new attribute field. The user then selects a label for the new
> attribute field to be displayed on GUI 112 and may also optionally select a default
> value. As depicted in FIG. 5C, the user has selected a display label of "ATTRY"
> and a default value of TR312. The default value may be selected so that
> customizing the value for each row requires minimal editing." (Tanner, paragraph
> [0066])

From this citation we see that the columns in figure 5A contain configuration
information and that that can be customized by the user, and it also allows for a column
which can show either a custom or a default value as shown in figure 5C. Therefore the
cited references teach the claimed limitations.

With respect to the outstanding 35 USC 103 rejection of claim 4, Appellant
argues that neither Rubert, Patrizio nor Tanner teach "the second dialog box further
includes a name field to display a name of a corresponding property and a default field
to display a default configuration parameter associated with the corresponding property"
and "the second dialog box further includes a data type field to display the data type
associated with corresponding property". It is respectfully submitted that these
limitations are taught by the same citation from Patrizio used for claim 3 (column 4, lines
54-67). Here we see that the various configurations are available via a user interface,
and various configuration parameters are available through this interface. Respectfully,
any differences would readily be apparent to those skilled in the art, as default fields
and properties displayed in such an interface would be common.

Conclusion:

The references cited disclose the claimed methods, systems, and machine-
readable medium for managing cluster configuration information. In light of the forgoing

arguments, the examiner respectfully requests the honorable Board of Appeals and

Interferences to sustain the rejection.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

/Jay Morrison/

Jay Morrison, Assistant Examiner, AU 2168

April 10, 2009

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